

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

O.A. No. 1560/94

New Delhi, dated the 23th January, 1995

CORAM

Hon'ble Shri B.N.Dhondiyal, Member(A)

Hon'ble Smt.Lakshmi Swaminathan, Member(J)

1. Shri Krishan Kumar s/o Shri Shiv Shankar
2. Shri Dina Nath s/o Shri Hari Ram
3. Shri Surinder Kumar s/o Sh. Chottee Lal
4. Shri Ajay Parveen s/o Sh. Uttam Singh
5. Shri Om Prakash s/o Shri Mohan Lal
6. Shri Pitamber Dutt s/o Shri Girdhari Lal
7. Shri Naresh Kumar s/o Shri Ram Lal
8. Shri Ramesh Chand s/o Shri Om Parkash
9. Shri Suresh Chand s/o Shri Kamal Singh
10. Shri Parkash Badliwa s/o Shri Jagmal
11. Shri Ram Din s/o Shri Gokal Parsad
12. Shri Ram Niwas s/o Shri Harparsad
13. Shri Samsher Singh s/o Shri Baboo Ram
- 14 * Ravinder Singh s/o Shri Jaswant Singh
15. Shri Kishan Singh s/o Shri Ram Pher Singh
16. Shri Harpal Singh s/o Shri Mom Raj Singh
17. Shri Suprit Kumar s/o Shri Bishar Nath
18. Shri Ram Naryan s/o Shri Ram Chand
19. Shri Shiv Naryan s/o Shri Ram Swaroop
20. Shri Ram Dev Sharma s/o Nakshtar Pal
21. Shri Dharmbir Singh s/o Shri Ram Kishan
22. Shri Ram Naryan s/o Shri Bhale Ram
23. Shri Janardan Parsad s/o Shri Kali Parsad
24. Shri Krishan Kumar s/o Shri Naryan Dass
25. Shri Ranbir Singh s/o Shri Shri Ram
26. Shri Dharm Pal s/o Shri Chander Singh
27. Shri Ranbir Singh s/o Ram Sarn
28. Shri Ram Kumar s/o Shri Ram Yash
29. Shri Ram Bharose s/o Shri Chitter Mal
30. Shri RDM Tapeshwar s/o Shri Indrasan
31. Shri Suresh Chand s/o Shri Khashi Ram
32. Shri Virender Singh s/o Shri Ajayab Singh

33. Shri Ram Avtar s/o Shri Rontas Singh
34. Shri Munishwar Pandit s/o Shri Kali Pandit
35. Shri Pradeep Kumar Asthana s/o Sh. Suresh Chander Asthana
36. Shri Ashok Kumar s/o Shri Arjun Dass
37. Shri Bhole Ram s/o Shri Harchain Singh
38. Shri Raj Kumar s/o Shri Yad Ram Singh
39. Shri Narender Singh s/o Shri Tej Pal Singh
40. Shri Santosh Baboo s/o Shri Sumati Naryan
41. Shri Udai Chand s/o Sh. Jag Ram
42. Shri Kali Parsad s/o Shri Baboo Lal
43. Shri Shri Kishan s/o Sh. Jai Lal
44. Shri Kishan Kumar s/o Shri Om Parkash
45. Shri Ballu Singh c/o Shri Chidda Singh
46. Shri Banarsi Dass s/o Shri Devi Dass
47. Shri Ram Kumar s/o Shri Basanta
48. Shri Kartar Singh s/o Shri Suraj Bhan
49. Shri Parmeshwar Parsad s/o Shri Ram Sukh
50. Shri Ramu s/o Shri Kprpu Swami
51. Shri Hira Lal s/o Shri Ram Avtar
52. Shri Mahesh Chander s/o Shri Baboo Ram
53. Shri Suresh Kumar Sehgal s/o Shri Lal Chand
54. Shri Ram Rattan Singh s/o Shri Dalip Singh
55. Shri Ramesh Kumar s/o Shri Rattan Lal.

...Applicants

(All working as substitute C&W Khalasi/C&W Safai Wala under the Northern Railways at New Delhi)

c/o Garg Roy & Associates, 14-A/13,
W.E.A. Karol Bagh, New Delhi.

(By Advocate Shri S.M. Garg)

v/s

1. Union of India through the Divisional Railway Manager, D.R.M. Office, Northern Railway, New Delhi.

2. Senior Divisional Personnel Officer,
D.R.M. Office, Northern Railway,
New Delhi.
3. The Asstt. Personnel Officer,
D.R.M. Office(N.R)New Delhi.

... Respondents

(None for the respondents)

JUDGMENT (ORAL)

(Hon'ble Shri B.N.Dhoundiyal, Member(A))

The applicants are all casual labourers who were engaged as C&W Khalasi/Safaiwala in the department of Railway after 3.1.1981. They claim to have appeared in two screening tests, one held in the year, 1989 and other in the year, 1993. They have prayed that results of these tests be declared and they be regularised.

2. In the counter affidavit filed by the respondents, it is stated that no screening for the post of C&W Khallasis and C&W Safaiwala was conducted in 1989. A screening test was conducted in 1993, but the result could not be declared so far due to non receipt of approval from GM/N.Railway.

3. On 6-1-1995, Shri S.M.Garg, counsel for the applicant had undertaken to file documents to show that these two screening tests were, in fact, held in the year 1989 and in the year 1993. He has submitted an affidavit which has been taken on record. It shows that identity slips were issued in 1989 for a test. A specific averment has been made by the respondents that no such test was held in the year, 1989. We are inclined to take the view that even if the process initiating screening test was underway a test may not have been held. In any case it is

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admitted by the respondents that a test was held in 1993 results of which has not been declared so far.

4. This O.A. is disposed of with a direction to the respondents to declare the result of 1993 test within a period of three months from the date of issue of this order. If the applicants have qualified they shall be regularized and given their due seniority. *A.*

5. There will be no order as to costs.

Lakshmi Swaminathan
(Lakshmi Swaminathan)
Member(J)

B.N. Dhoundiyal
(B.N. Dhoundiyal)
Member(A)

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